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Paper 84

Filed: October 20, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference No. 105,363 (RT)

POLIMERI EUROPA S.P.A.
(10/740,800),
Junior Party,

v.

GENERAL ELECTRIC COMPANY
(09/682,285),
Senior Party.

DECLARED: 12 January 2006

Before HANLON, TORCZON, and NAGUMO, *Administrative Patent Judges.*

NAGUMO, *Administrative Patent Judge.*

JUDGMENT — REQUEST FOR ADVERSE - Bd.R. 127(b)

On 18 October 2006, Polimeri filed a request for
adverse judgment under Bd.R. 127(b). (Paper 83.)

Accordingly, it is

ORDERED that adverse judgment as to priority with
respect to Count 1, the sole count in this interference, is
entered against Polimeri.

Polimeri Europa v. General Electric Co.

FURTHER ORDERED that Daniele Delledonne, Franco Rivetti, Eugene Pauling Boden, Ganesh Kailasam, Larry Neil Lewis, and Ignacio Vic Fernandez are not entitled to a patent containing claims 1-23 of application 10/740,800.

FURTHER ORDERED that this paper be given an appropriate number and placed in the files of applications 10/740,800, and 09/682,285.

FURTHER ORDERED that if there is a settlement, the attentions of the parties are directed to 35 U.S.C. § 135(c) and Bd.R. 205.

<u>/Adriene Lepiane Hanlon/</u>)
ADRIENE LEPIANE HANLON)
Administrative Patent Judge)
)
)
) BOARD OF
<u>/Richard Torczon/</u>) PATENT APPEALS
RICHARD TORCZON) AND
Administrative Patent Judge) INTERFERENCES
)
)
) TRIAL SECTION
<u>/Mark Nagumo/</u>) MERITS PANEL
MARK NAGUMO)
Administrative Patent Judge)

cc (via electronic mail)

For Polimeri Europa S.p.A.: Richard L. Treanor, Stefan U. Koschmieder, and W.Todd Baker, OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C., of Alexandria, Virginia.

For General Electric Co.: Eric C. Woglom and Thomas J. Vetter, ROPES & GRAY LLP, of New York City, New York.

Despertt, Sonja

From: Despertt, Sonja on behalf of Interference Trial Section
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Subject: Interference No. 105363 (MN) Paper No. 84 - Judgment-Bd.R. 127(b)
Attachments: jd105363_084.pdf

10/27/06